United Nations A/C.4/58/L.9

General Assembly

Distr.: Limited
30 October 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

United States of America: draft resolution

Assistance to Palestine refugees and support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 212 (III) of 19 November 1948, on assistance to Palestine refugees, and 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling also all its subsequent resolutions on the question, including resolution 56/52 of 10 December 2001 and its resolutions 57/117, 57/118, 57/119, 57/120, 57/121, 57/122 and 57/123 of 11 December 2002,

Recalling further relevant Security Council resolutions,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty years since its establishment in ameliorating the plight of the Palestine refugees in the fields of education, health and relief and social services,

Aware of the continuing needs of Palestine refugees throughout all the fields of operation,

Gravely concerned about the increased suffering of the Palestine refugees, including the loss of life, injury and destruction and damage to refugee shelters and properties, as well as the safety of the staff and the damage to the facilities of the Agency during the reporting period,

Deeply concerned about the continuing restrictions on the freedom of movement of the Agency's staff, vehicles and goods, which adversely affect the

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ability of the Agency to provide its services, including its educational, health and relief and social services,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[1] the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[2] the letter dated 25 September 2003 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[3] and the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2002 to 31 August 2003,[4]

Deeply concerned about the continuing financial situation of the Agency, which has affected and affects the continuing provision of necessary Agency services to Palestine refugees, including the emergency-related and humanitarian programmes,

1. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its operation and services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

2. *Calls upon* all States to make the most generous efforts possible to meet the anticipated needs of the Agency, including those mentioned in recent emergency appeals, and to support the Agency's valuable work in providing assistance to the Palestine refugees;

3. *Takes note with approval* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[2] for its efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

4. *Endorses* the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;

5. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

6. *Reiterates* its previous appeals to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to

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[1] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* (A/58/13).

[2] A/58/450.

[3] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* (A/58/13), p. viii.

[4] A/58/256.

the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. *Appeals* to all States, specialized agencies and other international bodies to extend assistance for higher education to Palestine refugee students and to contribute towards the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

8. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions throughout the past year;

9. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of its decision 48/417 of 10 December 1993;

10. *Commends* the efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency as well as the support of the host Governments for the Agency in the discharge of its duties;

11. *Calls upon* all relevant parties to take effective measures to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of the facilities of the Agency;

12. *Notes* the success of the Agency's microfinance and enterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute towards the development of the economic and social stability of the Palestine refugees;

13. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the progress made in the implementation of the present resolution.

United Nations A/C.4/58/L.9/Rev.1

General Assembly

Distr.: Limited
7 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Australia, Canada, Dominica, Palau, Uganda and United States of America: revised draft resolution

Assistance to Palestine refugees and support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 212 (III) of 19 November 1948, on assistance to Palestine refugees, and 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling also all its subsequent resolutions on the question, including resolution 56/52 of 10 December 2001 and its resolutions 57/117, 57/118, 57/119, 57/120, 57/121, 57/122 and 57/123 of 11 December 2002,

Recalling further relevant Security Council resolutions,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty years since its establishment in ameliorating the plight of the Palestine refugees in the fields of education, health and relief and social services,

Aware of the continuing needs of Palestine refugees throughout all the fields of operation, namely the West Bank and the Gaza Strip, Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the increased suffering of the Palestine refugees, including the loss of life, injury and destruction and damage to refugee shelters and properties, as well as the safety of the staff and the damage to the facilities of the Agency, and *regretting* the death of six Agency staff members during the reporting period,

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Deeply concerned about the continuing restrictions on the freedom of movement of the Agency's staff, vehicles and goods, which adversely affect the ability of the Agency to provide its services, including its educational, health and relief and social services,

Stressing the necessity for compliance with Articles 100, 104 and 105 of the Charter of the United Nations and compliance with applicable obligations under the Convention on the Privileges and Immunities of the United Nations,[1] as well as the need for respect of international humanitarian law,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[2] the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[3] the letter dated 25 September 2003 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[4] and the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2002 to 31 August 2003,[5]

Deeply concerned about the continuing financial situation of the Agency, which has affected and affects the continuing provision of necessary Agency services to Palestine refugees, including the emergency-related and humanitarian programmes,

1. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its operation and services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

2. *Calls upon* all States to make the most generous efforts possible to meet the anticipated needs of the Agency, including those mentioned in recent emergency appeals, and to support the Agency's valuable work in providing assistance to the Palestine refugees;

3. *Takes note with approval* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[3] for its efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

4. *Endorses* the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in

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[1] Resolution 22 A (I).

[2] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum and addendum (A/58/13 and Corr.1 and Add.1).

[3] A/58/450.

[4] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* (A/58/13), p. viii.

[5] A/58/256.

serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;

5. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

6. *Reiterates* its previous appeals to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. *Appeals* to all States, specialized agencies and other international bodies to extend assistance for higher education to Palestine refugee students and to contribute towards the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

8. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions throughout the past year;

9. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of its decision 48/417 of 10 December 1993;

10. *Commends* the efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency as well as the support of the host Governments for the Agency in the discharge of its duties, and *calls upon* the Agency to continue to work on improving budget and administrative management for delivery of better service;

11. *Calls upon* all relevant parties to take effective measures to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of the facilities of the Agency;

12. *Notes* the success of the Agency's microfinance and enterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute towards the development of the economic and social stability of the Palestine refugees;

13. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the progress made in the implementation of the present resolution.

United Nations A/C.4/58/L.10

General Assembly

Distr.: Limited
30 October 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Djibouti, Egypt, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 57/117 of 11 December 2002,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that the Palestine refugees have, for more than five decades, lost their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty-three years since its establishment in ameliorating the plight of the Palestine refugees in the fields of education, health and relief and social services,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[1]

[1] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum (A/58/13 and Corr.1).

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Aware of the continuing needs of Palestine refugees throughout all the fields of operation, namely in Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and living conditions, and the continuous deterioration of those conditions during the recent period,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization[2] and the subsequent implementation agreements,

Aware that the Multilateral Working Group on Refugees of the Middle East peace process has an important role to play in the peace process,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of its resolution 194 (III), has not yet been effected and that, therefore, the situation of the Palestine refugees continues to be a matter of concern;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 2004;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its operation and services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the Agency, including those mentioned in recent emergency appeals.

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[2] A/48/486-S/26560, annex.

United Nations A/C.4/58/L.11

General Assembly

Distr.: Limited
4 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Austria, Bahrain, Bangladesh, Belgium, Comoros, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Finland, France, Greece, Hungary, Indonesia, Ireland, Italy, Latvia, Jordan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Morocco, Netherlands, Oman, Poland, Portugal, Qatar, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Sudan, Sweden, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Yemen and Palestine: draft resolution

Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2971 (XXVI) of 6 December 1971, 57/118 of 11 December 2002 and the previous resolutions on this question,

Recalling also its decision 36/462 of 16 March 1982, by which it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[1]

Having considered the report of the Working Group,[2]

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[3]

Expressing support for the expansion of the microfinance and microenterprise programme, as well as the various major rehousing and infrastructure projects,

[1] A/36/866 and Corr.1; see also A/37/591.
[2] A/58/450.
[3] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* (A/58/13).

03-59652 (E) 051103

Deeply concerned about the continuing financial situation of the Agency, which has affected and affects the continuation of provision of necessary Agency services to Palestine refugees, including the emergency-related and humanitarian and development programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the current level, the activities of the Agency, as well as to enable the Agency to carry out essential construction and rehabilitation,

1. *Commends* the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the financial security of the Agency;

2. *Takes note with approval* of the report of the Working Group;[2]

3. *Welcomes* further progress in improving the unified budget structure for the biennium 2004-2005, which can contribute significantly to improved budgetary transparency and enhances the utility of the budget as a planning, managerial and fund-raising tool;

4. *Requests* the Working Group to continue its efforts, in cooperation with the Secretary-General and the Commissioner-General, to find a solution to the financial situation of the Agency;

5. *Requests* the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

United Nations A/C.4/58/L.12

General Assembly

Distr.: Limited
30 October 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Djibouti, Egypt, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 57/119 of 11 December 2002,

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[1]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 1993[2] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

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[1] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum (A/58/13).

[2] A/48/486-S/26560, annex.

03-58994 (E) 311003

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 1993[2] on the return of displaced persons has not been effected, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-ninth session on the progress made with regard to the implementation of the present resolution.

United Nations A/C.4/58/L.13

General Assembly

Distr.: Limited
30 October 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Djibouti, Egypt, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolution 35/13 B of 3 November 1980 and all subsequent relevant resolutions, including resolution 57/120 of 11 December 2002,

Having considered the report of the Secretary-General,[1]

Having considered also the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[2]

Expressing its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions on this question,

1. *Reiterates* its previous appeals to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

[1] A/58/339.
[2] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum and addendum (A/58/13 and Corr.1 and Add.1).

03-59006 (E) 311003

2. *Appeals* to all States, specialized agencies and other international bodies to extend assistance for higher education to Palestine refugee students and to continue to support vocational training centres for Palestine refugees, and requests the Agency to act as the recipient of and trustee for the special allocations for grants and scholarships;

3. *Appeals* to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

United Nations A/C.4/58/L.14

General Assembly

Distr.: Limited
30 October 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Djibouti, Egypt, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including resolution 57/121 of 11 December 2002,

Recalling also relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[1]

Taking note of the letter dated 25 September 2003 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[2]

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[3]

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[1] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum and addendum (A/58/13 and Corr.1 and Add.1).

[2] Ibid., p. viii.

[3] Resolution 22 A (I).

03-59024 (E) 311003

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[4] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely, in Jordan, Lebanon and the Syrian Arab Republic,

Also aware of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the increased suffering of the Palestine refugees, including the loss of life, injury, and destruction and damage to their shelters and properties, during the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern about the continuing impact of the events that occurred in the Jenin refugee camp in April 2002, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants,

Aware of the extraordinary efforts being undertaken by the Agency for the repair or rebuilding of thousands of destroyed and damaged refugee shelters,

Gravely concerned about the safety of the Agency's staff and about the damage caused to facilities of the Agency as a result of Israeli military operations during the reporting period,

Deploring the killing of six Agency staff members by the Israeli occupying forces during the reporting period,

Expressing deep concern about the continuing policies of closure and severe restrictions, including the curfews, that have been imposed on the movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, and which have had a grave impact on the socio-economic situation of the Palestine refugees and have greatly contributed to the dire humanitarian crisis facing the Palestinian people,

Deeply concerned about the continuing restrictions on the freedom of movement of the Agency staff, vehicles and goods, including the harassment of personnel, which adversely affect the ability of the Agency to provide its services, including its education, health and relief and social services,

Deeply concerned also about the continuing critical financial situation of the Agency and its effect on the continuing provision of necessary Agency services to the Palestine refugees, including its emergency-related programmes and its development programmes,

Recalling the signing, on 13 September 1993, of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization[5] and the subsequent implementation agreements,

Aware of the agreement between the Agency and the Government of Israel,

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[4] United Nations, *Treaty Series*, vol. 75, No. 973.

[5] A/58/486-S/26560, annex.

Aware also of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[6]

1. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions throughout the past year;

2. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. *Commends* the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency;

4. *Acknowledges* the support of the host Governments for the Agency in the discharge of its duties;

5. *Takes note* of the functioning of the headquarters of the Agency in Gaza City on the basis of the Headquarters Agreement between the Agency and the Palestinian Authority;

6. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[4]

7. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[3] with regard to the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the Occupied Palestinian Territory, including East Jerusalem;

8. *Urges* the Government of Israel to compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side, particularly during the reporting period;

9. *Calls upon* Israel particularly to cease obstructing the movement of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which have a detrimental effect on the Agency's operations;

10. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

11. *Affirms* that the functioning of the Agency remains essential in all fields of operation;

12. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant

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[6] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

agencies, to continue to contribute towards the development of the economic and social stability of the Palestine refugees;

13. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate progress in his report to the General Assembly at its fifty-ninth session;

14. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground, and to support the Agency's valuable work in assistance to the Palestine refugees.

United Nations A/C.4/58/L.14/Rev.1

General Assembly

Distr.: Limited
7 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: revised draft resolution

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including resolution 57/121 of 11 December 2002,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[1]

Taking note of the letter dated 25 September 2003 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[2]

Deeply concerned about the continuing critical financial situation of the Agency and its effect on the continuing provision of necessary Agency services to the Palestine refugees, including its emergency-related programmes and its development programmes,

[1] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* and corrigendum and addendum (A/58/13 and Corr.1 and Add.1).
[2] Ibid., p. viii.

03-60390 (E) 071103

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[3]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[4] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely, in Jordan, Lebanon and the Syrian Arab Republic,

Also aware of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the increased suffering of the Palestine refugees, including the loss of life, injury and destruction and damage to their shelters and properties, during the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern about the continuing impact of the events that occurred in the Jenin refugee camp in April 2002, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants,

Aware of the extraordinary efforts being undertaken by the Agency for the repair and rebuilding of thousands of destroyed and damaged refugee shelters,

Gravely concerned about the safety of the Agency's staff and about the damage caused to facilities of the Agency as a result of Israeli military operations during the reporting period,

Deploring the killing of six Agency staff members by the Israeli occupying forces during the reporting period,

Expressing deep concern about the continuing policies of closure and severe restrictions, including the curfews, that have been imposed on the movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, and which have had a grave impact on the socio-economic situation of the Palestine refugees and have greatly contributed to the dire humanitarian crisis facing the Palestinian people,

Deeply concerned about the continuing restrictions on the freedom of movement of the Agency staff, vehicles and goods, including the harassment of personnel, which adversely affect the ability of the Agency to provide its services, including its education, health and relief and social services,

Recalling the signing, on 13 September 1993, of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization[5] and the subsequent implementation agreements,

Aware of the agreement between the Agency and the Government of Israel,

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[3] Resolution 22 A (I).

[4] United Nations, *Treaty Series*, vol. 75, No. 973.

[5] A/48/486-S/26560, annex.

Aware also of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[6]

1. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions throughout the past year;

2. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for its efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;[7]

4. *Commends* the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency;

5. *Acknowledges* the support of the host Governments for the Agency in the discharge of its duties;

6. *Takes note* of the functioning of the headquarters of the Agency in Gaza City on the basis of the Headquarters Agreement between the Agency and the Palestinian Authority;

7. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[4]

8. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[3] with regard to the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the Occupied Palestinian Territory, including East Jerusalem;

9. *Urges* the Government of Israel to compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side, particularly during the reporting period;

10. *Calls upon* Israel particularly to cease obstructing the movement of the personnel, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which have a detrimental effect on the Agency's operations;

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[6] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[7] A/58/450.

11. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

12. *Affirms* that the functioning of the Agency remains essential in all fields of operation;

13. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute towards the development of the economic and social stability of the Palestine refugees;

14. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate progress in his report to the General Assembly at its fifty-ninth session;

15. *Reiterates its previous appeals* to all States, specialized agencies and non-governmental organizations to continue to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute towards the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

16. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground, and to support the Agency's valuable work in assistance to the Palestine refugees.

United Nations A/C.4/58/L.15

General Assembly

Distr.: Limited
30 October 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Djibouti, Egypt, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted in pursuance of resolution 57/122 of 11 December 2002,[1]

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2002 to 31 August 2003,[2]

Recalling that the Universal Declaration of Human Rights and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[3] and the fact that the Land Office had a schedule of Arab owners

[1] A/58/206.
[2] A/58/256, annex.
[3] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

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and file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the work done to preserve and modernize the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with General Assembly resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principle on Interim Self-Government Arrangements of 13 September 1993,[4] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues in the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

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[4] A/48/486-S/26560, annex.

United Nations A/C.4/58/L.16

General Assembly

Distr.: Limited
30 October 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 83
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Djibouti, Egypt, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolution 36/146 G of 16 December 1981 and all its subsequent resolutions on the issue, including resolution 57/123 of 11 December 2002,

Having considered the report of the Secretary-General,[1]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,[2]

1. *Emphasizes* the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. *Requests* the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. *Calls once again upon* Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the progress made in the implementation of the present resolution.

[1] A/58/205.
[2] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 13* (A/58/13).

03-59064 (E) 311003

United Nations A/C.4/58/L.17

General Assembly

Distr.: Limited
4 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 84
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[2] and the International Covenants on Human Rights,[3]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 57/124 of 11 December 2002, and the relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Convinced that occupation itself represents a gross and grave violation of human rights,

[1] United Nations, *Treaty Series*, vol. 75, No. 973.
[2] Resolution 217 A (III).
[3] Resolution 2200 A (XXI), annex.

03-59580 (E) 051103

Gravely concerned about the continuation of the tragic events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[4] and the relevant reports of the Secretary-General,[5]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[6] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Expressing the hope that the Israeli occupation will be brought to an early end and that therefore the violation of the human rights of the Palestinian people will cease,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period;

4. *Expresses grave concern* about the situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of Israeli practices and measures, and especially condemns the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions, which has resulted in more than 2,600 Palestinian deaths and tens of thousands of injuries;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

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[4] A/58/311.

[5] A/58/155, A/58/156, A/58/263, A/58/264 and A/58/310.

[6] A/48/486-S/26560, annex.

7. *Further requests* the Special Committee to continue to investigate the treatment of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its fifty-ninth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

United Nations A/C.4/58/L.18

General Assembly

Distr.: Limited
4 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 84
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the regulations annexed to the Hague Convention of 1907,[1] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] and Protocol 1 additional to the Geneva Conventions,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[3] and the relevant reports of the Secretary-General,[4]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

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[1] See *Carnegie Endowment for International Peace, The Hague Conventions of 1899 and 1907* (New York, Oxford University Press, 1915).
[2] United Nations, *Treaty Series*, vol. 75, No. 973.
[3] A/58/311.
[4] A/58/155-156; A/58/263-264.

03-59592 (E) 051103

Noting the convening of the meeting of experts of High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, at Geneva from 27 to 29 October 1998, at the initiative of the Government of Switzerland in its capacity as the depositary of the Convention, concerning problems of application of the Convention in general and, in particular, in occupied territories,

Noting also the convening for the first time, on 15 July 1999, of a Conference of High Contracting Parties to the Fourth Geneva Convention, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect thereof in accordance with article 1 common to the four Geneva Conventions,[5] and aware of the statement adopted by the Conference,

Welcoming the reconvening of the Conference of High Contracting Parties to the Fourth Geneva Convention on 5 December 2001 in Geneva and stressing the importance of the Declaration adopted by the Conference, and underlining the need for the parties to follow up on the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions,[5] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in its resolutions of the tenth emergency special session with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

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[5] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

United Nations A/C.4/58/L.19

General Assembly

Distr.: Limited
4 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 84
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, as well as relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Taking note of the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[2]

[1] United Nations, *Treaty Series*, vol. 75, No. 973.
[2] A/58/__.

03-59586 (E) 051103

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Aware that Israeli settlement activities have involved, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other illegal actions against the Palestinian civilian population,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel of settlement activities in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, including the construction and expansion of the settlements in Jabal Abu-Ghneim and Ras Al-Amud in and around Occupied East Jerusalem,

Expressing grave concern also about the construction by Israel of an expansionist wall in the Occupied Palestinian Territory, including in and around East Jerusalem, in departure from the Armistice Line of 1949, which could prejudge future negotiations and make the two-state solution physically impossible to implement and would cause further humanitarian hardship to the Palestinian people,

Reiterating its firm opposition to settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and to any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land in violation of international law,

Gravely concerned about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory, as illustrated in the recent period and earlier by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994, and during the past year,

Taking note of the relevant reports of the Secretary-General, including the report submitted pursuant to resolution ES-10/13 of 21 October 2003,[4]

1. *Reaffirms* that Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Reiterates* its demand for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

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[3] A/48/486-S/26560, annex.

[4] A/58/__.

4. *Demands* that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure of the Armistice Line of 1949 and is illegal under international law;

5. *Stresses* the need for full implementation of Security Council resolution 904 (1994) of 18 March 1994, in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

6. *Reiterates* its calls for the prevention of all acts of violence by Israeli settlers, particularly in the light of recent developments;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

United Nations A/C.4/58/L.20

General Assembly

Distr.: Limited
4 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 84
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[1] and the reports of the Secretary-General,[2]

Taking note of the report of the Human Rights Inquiry Commission established by the Commission on Human Rights[3] and the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[4]

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

[1] A/58/311 and A/58/473.
[2] A/58/155, A/58/156, A/58/263, A/58/264 and A/58/310.
[3] E/CN.4/2001/121.
[4] E/CN.4/2002/32.

03-59598 (E) 051103

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[5] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process,

Concerned about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including the use of collective punishment, reoccupation and closure of areas, confiscation of land, establishment and expansion of settlements, construction of an expansionist wall, destruction of property and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned by the tragic events that have occurred since 28 September 2000 and that have led to thousands of deaths and injuries, mostly among Palestinian civilians,

Expressing deep concern about the widespread destruction caused by the Israeli occupying forces, including the destruction of homes and properties, of religious, cultural and historical sites, of vital infrastructure and institutions of the Palestinian Authority and of agricultural land throughout Palestinian cities, towns, villages and refugee camps,

Also expressing deep concern about the Israeli policy of closure and the severe restrictions, including curfews, imposed on the movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent impact on the socio-economic situation of the Palestinian people, which has resulted in a dire humanitarian crisis,

Expressing concern that thousands of Palestinians continue to be held in Israeli prisons or detention centres, and also expressing concern about their ill-treatment and harassment and reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilians and to help the parties to implement agreements reached, and in this regard recalls the positive contribution of the Temporary International Presence in Hebron,

Stressing the necessity for the full implementation of all relevant Security Council resolutions,

1. *Determines* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation

[5] United Nations, *Treaty Series*, vol. 75, No. 973.

of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949[5] and cease immediately all measures and actions taken in violation of the Convention, including the extrajudicial executions;

3. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by Israeli forces against Palestinian civilians, resulting in extensive loss of life, vast numbers of injuries and massive destruction;

4. *Also condemns* the events that have occurred in the Jenin refugee camp in April 2002, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants;

5. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people;

6. *Stresses* the need to preserve the territorial integrity of all the Occupied Palestinian Territory and to guarantee the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

United Nations A/C.4/58/L.21

General Assembly

Distr.: Limited
4 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 84
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

The occupied Syrian Golan

The General Assembly,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[1]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was resolution 57/128 of 11 December 2002,

Having considered the report of the Secretary-General submitted in pursuance of resolution 57/128,[2]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

[1] A/58/311 and A/58/473.
[2] A/58/264.

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Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

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[3] United Nations, *Treaty Series*, vol. 75, No. 973.

United Nations A/C.4/58/L.22

General Assembly

Distr.: Limited
10 November 2003

Original: English

Fifty-eighth session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 83

United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Comoros, Djibouti, Egypt, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: amendments to draft resolution A/C.4/58/L.9/Rev.1

Assistance to Palestine refugees and support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East

1. In the first preambular paragraph, after the word "resolutions", add the words "194 (III) of 11 December 1948,". The paragraph will read as follows:

> *Recalling* its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, on assistance to Palestine refugees, and 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

2. In the sixth preambular paragraph, delete the words "regretting the death of six Agency staff members during the reporting period". Insert a new preambular paragraph, to read as follows:

> *Deploring* the killing of six Agency staff members during the reporting period,

3. Delete the eighth preambular paragraph. After paragraph 3, add two new operative paragraphs, to be numbered paragraphs 4 and 5. Renumber the following paragraphs, including the footnotes, accordingly. Paragraphs 4 and 5 will read as follows:

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4. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[4] which is applicable to the Occupied Palestinian Territory, including East Jerusalem;

5. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[1] with regard to the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the Occupied Palestinian Territory, including East Jerusalem;

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[4] United Nations, *Treaty Series*, vol. 75, No. 973.

4. In paragraph 10, delete the words "and calls upon the Agency to continue to work on improving budget and administrative management for delivery of better service".

5. Delete paragraph 13.